



10 MAY 2007

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Marshall, Gerstein & Borun LLP
233 S. Wacker Drive, Suite 6300
Sears Tower
Chicago, IL 60606

In re Application of	:	
GUO et al.	:	
Application No.: 10/566,952	:	
PCT No.: PCT/CN04/00884	:	
Int. Filing: 30 July 2004	:	DECISION ON PETITION
Priority Date: 31 July 2003	:	UNDER 37 CFR 1.47(a)
Attorney Docket No.: 30952/41850	:	
For: METHOD OF IMPLEMENTING	:	
ACCOUNT CHARGING AND ACCOUNT	:	
CHARGING SYSTEM	:	

This decision is issued in response to applicants' "Petition under 37 CFR 1.47(a)" filed 22 January 2007 to accept the application without the signature of joint inventor, Xin Zhang. The \$200 petition fee has been submitted.

BACKGROUND

On 30 July 2004, applicants filed international application PCT/CN04/00884 which claimed a priority date 31 July 2003. Pursuant to 37 CFR 1.495, the period for paying the basic national fee in the United States expired 30 months from the priority date, 31 January 2006.

On 31 January 2006, applicants filed a transmittal for entry into the national stage in the United States, which accompanied by, inter alia: the requisite basic national fee as required by 35 U.S.C. 371(c)(1); a copy of the international application; preliminary amendment; and an application data sheet.

On 20 June 2006, the United States Designated/Elected Office mailed a Notification of Missing Requirements under 35 U.S.C. 371 (Form PCT/DO/EO/905) indicating that an oath or declaration in compliance with 37 CFR 1.497(a) and (b) must be filed. The notification set a two-month time limit in which to respond.

On 22 January 2007, applicants filed a petition under 37 CFR 1.47(a) and an oath/declaration executed by four of the five inventors.

DISCUSSION

A petition under 37 CFR 1.47(a) must be accompanied by: (1) the fee under 37 CFR 1.17(h), (2) factual proof that the missing joint inventor refuses to execute the application or cannot be reached after diligent effort, (3) a statement of the last known address of the missing inventor, and (4) an oath or declaration by each 37 CFR 1.47(a) applicant on his or her own behalf and behalf of the nonsigning joint inventor.

A review of the papers filed 22 January 2007 reveals that petitioner has paid the requisite petition fee, provided sufficient proof that the non-signing inventor (Xin Zhang) could not be located after diligent effort, stated the last known address of the non-signing inventor (Xin Zhang), and provided an acceptable declaration. Accordingly, all of the requirements of items (1), (2), (3), and (4) above have been satisfied..

CONCLUSION

For the reasons above, applicants' petition under 37 CFR 1.47(a) is GRANTED.

The application has an international filing date of 30 July 2004 under 35 U.S.C. 363, and will be given a date of 22 January 2007 under 35 U.S.C. 371(c)(1), (c)(2) and (c)(4).

As provided in 37 CFR 1.47(c), a notice of the filing of this application will be forwarded to the non-signing inventor at his last known address of record.

A notice of the filing of the application under 37 CFR 1.47(a) will be published in the Official Gazette.



Anthony Smith
Attorney-Advisor
Office PCT Legal Administration
Tel.: 571-272-3298
Facsimile: 571-273-0459



10 MAY 2007

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Xin Zhang
Huawei Administration Building
Bantian, Longgang District
Shenzhen
People's Republic of China
518129

In re Application of
GUO et al.
Application No.: 10/566,952
PCT No.: PCT/CN04/00884
Int. Filing: 30 July 2004
Priority Date: 31 July 2003
Attorney Docket No.: 30952/41850
For: METHOD OF IMPLEMENTING ACCOUNT CHARGING AND ACCOUNT
CHARGING SYSTEM

Dear Xin Zhang:

You are named as an inventor in the above identified United States patent application, filed under the provisions of 37 CFR 1.47(a) and 35 U.S.C. 116. Should a patent be granted, you will be designated as an inventor.

As a named inventor, you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or to make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent agent or attorney presenting written authorization from you. If you care to join in the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Anthony Smith
Attorney-Advisor
Office of PCT Legal Administration
Telephone: (571) 272-3298

Counsel of Record:
Marshall, Gerstein & Borun LLP
233 S. Wacker Drive, Suite 6300
Sears Tower
Chicago, IL 60606